

**COURT OF APPEAL
STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT**

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The Minutes

April 18, 2005

At 9:32 a.m., the court met in the Library and Courts Building to begin its court calendar session. Present were Scotland, Presiding Justice; Sims, Associate Justice; Morrison, Associate Justice; and Rios, bailiff.

C044063 BARCLAY v. JESSE M. LANGE DISTRIBUTOR, INC.

Cause called. Daniel U. Smith argued for appellant and submitted additional citations. Brendan J. Begley and Russ J. Wunderli argued for respondent and submitted additional citations. Cause submitted.

At 10:07 a.m., the court recessed. At 10:11 a.m., the court reconvened with Scotland, Presiding Justice; Davis, Associate Justice; and Cantil-Sakauye, Associate Justice.

C047156 KILLEBREW v. JOHNSON

Cause called. Carol Killebrew argued In Pro Per as appellant. Richard Thomas argued for respondent. Cause submitted.

At 10:36 a.m., the court recessed. At 10:38 a.m., the court reconvened with Blease, Associate Justice; Nicholson, Associate Justice; and Hull, Associate Justice.

C047285 SOMERS v. AUGIAS CORPORATION, INC.

Cause called. Gregg S. Garrison and Stanley J. Hodson argued for appellant. Scott A. Coben argued for respondent. Cause submitted.

At 10:51 a.m., the court recessed. At 10:55 a.m., the court reconvened with Blease, Associate Justice; Hull, Associate Justice; and Butz, Associate Justice.

C046153 COUNTRY EGGS, INC. v. A.G. KAWAMURA et al.

Cause called. Brian C. Leighton argued for appellant. Linda Berg, Deputy Attorney General, argued for respondent. Cause submitted.

At 11:21 a.m., the court recessed. At 2:01 p.m., the court reconvened with Blease, Associate Justice; Sims, Associate Justice; and Hull, Associate Justice.

C047658 SMALLEY v. BATY, JR., et al.

Cause called. Mark Steidlmayer argued for appellant. Brendan J. Begley argued for respondents. Cause submitted.

At 2:23 p.m., the court recessed until 9:30 a.m., Tuesday, April 19, 2005.

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April 19, 2005, continued

- C045914 THE PEOPLE v. WARD (Not for Publication)**
The judgment is affirmed.
Raye, Acting P.J.
We Concur: Hull, J.
Robie, J.
- C046354 THE PEOPLE v. NORTHINGTON, JR. (Not for Publication)**
The judgment is affirmed.
ROBIE, J.
We Concur: Blease, Acting P.J.
Butz, J.
- C047743 THE PEOPLE v. SANCHEZ (Not for Publication)**
The challenged conditions are modified... As so modified, the judgment
(order reinstating defendant on probation) is affirmed.
Raye, J.
We Concur: Sims, Acting P.J.
Morrison, J.
- C048051 THE PEOPLE v. LOVE, JR. (Not for Publication)**
The judgment is affirmed.
SIMS, Acting P.J.
We Concur: Raye, J.
Morrison, J.
- C041861 GRADLE et al. v. DOPPELMAYR USA, INC. (Not for Publication)**
The judgment is reversed as to the inclusion of expert witness fees in the
award of costs to Dopplemayr. In all other respects, the judgment is affirmed.
The parties shall bear their own costs on appeal.
MORRISON, J.
We Concur: Blease, Acting P.J.
Robie, J.
- C046565 WINTER v. BREWER (Not for Publication)**
The judgment is affirmed.
MORRISON, J.
We Concur: Blease, Acting P.J.
Hull, J.

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April 19, 2005, continued

C042668 JOHNSON et al. v. SIERRA TERRA, INC., et al.
C043128 JOHNSON et al. v. SIERRA TERRA, INC., et al.
(Not for Publication)

THE COURT:

The opinion filed herein on March 21, 2005, is hereby modified...

... This modification does not change the judgment.

The petition for rehearing is denied.

FOR THE COURT:

SIMS, Acting P.J.

RAYE, J.

Morrison, J.

**C047717 In re ANNA A. et al.; SACRAMENTO COUNTY DEPARTMENT OF HEALTH
AND HUMAN SERVICES v. ANNA A.**

BY THE COURT:

Appellant's request for consideration of post-termination evidence is denied.

It is further ordered appellant's petition for rehearing is denied.

SIMS, Acting P.J.

April 20, 2005

At 9:31 a.m., the court met in the Library and Courts Building to begin its court calendar session. Present were Blease, Associate Justice; Nicholson, Associate Justice; Cantil-Sakauye, Associate Justice and Guzman, bailiff.

C046643 THE PEOPLE v. RAY

Cause called. Barbara J. Coffman, court appointed counsel, argued for appellant. Judy Kaida, Deputy Attorney General, argued for respondent. Cause submitted.

At 9:55 a.m., the court recessed. At 10:01 a.m., the court reconvened with Blease, Associate Justice; Raye, Associate Justice; and Morrison, Associate Justice.

C037254 BRONCO WINE COMPANY et al. v. ESPINOZA, as Interim Director, etc., et al. and NAPA VALLEY VINTNERS ASSOCIATION

Cause called. Peter M. Brody argued and Steven L. Mayer appeared only for appellant. Additional citations were submitted. Kathleen M. Sullivan argued and Richard P. Mendelson appeared only for Internevor. Terry Senne, Deputy Attorney General, argued for respondent. Cause submitted.

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April 20, 2005, continued

At 11:01 a.m., the court recessed. At 11:05 a.m., the court reconvened with Blease, Associate Justice; Raye, Associate Justice; and Hull, Associate Justice.

C047193 VISION SERVICE PLAN v. DEPARMENT OF MANAGED HEALTH CARE

Cause called. Douglas C. Ross argued and Robert E. Moss appeared only for appellant. Amy L. Dobberteen argued and Jennifer Gore appeared only for respondent. Cause submitted.

At 11:27 a.m., the court recessed. At 11:31 a.m., the court reconvened with Davis, Associate Justice; Robie, Associate Justice; and Butz, Associate Justice.

C045651 GLATFELTER v. GLATFELTER

Cause called. Patrick Curry argued for appellant. Frank M. Pacheco argued for respondent. Cause submitted.

At 12:01 a.m., the court recessed. At 12:04 a.m., the court reconvened with Morrison, Associate Justice; Hull, Associate Justice; and Robie, Associate Justice.

C044201 ANOLIK v. EMC MORTGAGE CORPORATION et al.

Cause called. Robert R. Schaldach argued for appellant. Steven K. Linkon argued for respondent. Cause submitted.

At 12:35 p.m., the court recessed until 9:30 a.m., Thursday, April 28, 2005.

C043678 THE PEOPLE v. PRICE

(Not for Publication)

The judgment is affirmed.
MORRISON, J.
We Concur: Davis, Acting P.J.
Robie, J.

C044540 THE PEOPLE v. FRAZIER

(Certified for Partial Publication)

The judgment is affirmed.
ROBIE, J.
We Concur: Hull, Acting P.J.
Butz, J.

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April 20, 2005, continued

- C046961 THE PEOPLE v. KENYON (Not for Publication)**
The judgment is affirmed.
MORRISON, J.
We Concur: Davis, Acting P.J.
Butz, J.
- C047024 THE PEOPLE v. O’KANE, JR. (Not for Publication)**
The judgment is affirmed.
ROBIE, J.
We Concur: Blease, Acting P.J.
Butz, J.
- C047688 THE PEOPLE v. WILLIAMSON (Not for Publication)**
The judgment is affirmed.
MORRISON, J.
We Concur: Davis, Acting P.J.
Butz, J.
- C047854 THE PEOPLE v. TELLERS (Not for Publication)**
The judgment is affirmed.
Robie, J.
We Concur: Blease, Acting P.J.
Butz, J.
- C046336 In re T.T.; SACRAMENTO COUNTY DEPARTMENT OF HEALTH AND
HUMAN SERVICES v. O.T. (Not for Publication)**
The March 3, 2004 orders of the juvenile court are reversed, and the
matter is remanded to the juvenile court...
MORRISON, J.
We Concur: Davis, Acting P.J.
Butz, J.
- C047977 In re G.G.; YOLO COUNTY DEPARTMENT OF EMPLOYMENT AND SOCIAL
SERVICES v. REBECCA G. (Not for Publication)**
The judgment (order terminating appellant’s parental rights) is affirmed.
BUTZ, J.
We Concur: Davis, Acting P.J.
Morrison, J.

